



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,560	07/29/2003	Karsten Schulz	13909-132001 / 2003P00484	4776
32864	7590	11/01/2007	EXAMINER	
FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			TECKLU, ISAAC TUKU	
			ART UNIT	PAPER NUMBER
			2192	
			MAIL DATE	DELIVERY MODE
			11/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/628,560

Applicant(s)

SCHULZ, KARSTEN

Examiner

Isaac T. Tecklu

Art Unit

2192

All participants (applicant, applicant's representative, PTO personnel):

(1) Isaac T. Tecklu.

(3) _____

(2) David E. A. Jordan, Reg. No. 50,325.

(4) _____

Date of Interview: 14 July 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____

Claim(s) discussed: 16 and 21-29.

Identification of prior art discussed: _____

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's Representative, Mr. Jordan proposed an amendment to overcome possible non statutory rejection. Mr. Jordan explained that use of a processor would be inherent as it is disclosed in the specification paragraph [0036]. Examiner agreed to consider Mr. Jordan's comment.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Attorney's Docket No.: 13909-132001
Client's Ref. No.: 2003P00484 US

OFFICIAL COMMUNICATION FACSIMILE:

EXAMINER: ISAAC TECKLU

OFFICIAL FAX NO: (571) 273-7957

Number of pages including this page 3

Applicant : Karsten A. Schultz
Serial No. : 10/628,560
Filed : July 29, 2003

Art Unit : 2192
Examiner : Isaac Tuku Tecklu

Title : Aggregation of Private and Shared Workflows

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

A Proposed Interview Agenda dated June 12, 2007 is attached.

Respectfully submitted,

Date: June 12, 2007

/David E. A. Jordan/

David E. A. Jordan
Reg. No. 50325

Fish & Richardson P.C.
1425 K Street, N.W.
11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Fax: (202) 783-2331

40425179.doc

NOTE: This facsimile is intended for the addressee only and may contain privileged or confidential information. If you have received this facsimile in error, please immediately call us collect at (202) 783-5070 to arrange for its return. Thank you.

From: David E. A. Jordan, Reg. No. 50,325 – (202) 626-6365
To: Examiner I. Tecklu, Art Unit 2192
Re: U.S. Patent Application No. 10/628,560

PROPOSED INTERVIEW AGENDA

Examiner Tecklu,

Thank you for discussing the subject case with me today. In a future discussion, I would like to discuss the following proposed claim amendment.

16. **(PROPOSED – FOR DISCUSSION ONLY – DO NOT ENTER)** A system comprising:

a workflow modeler operable to model a workflow using a processor, the workflow including actual tasks, wherein values of vertices included in a first matrix are based on interdependencies between the actual tasks;

a view modeler operable to model a virtual workflow as an abstraction of the workflow using the processor, the virtual workflow including virtual tasks that each correspond to at least one of the actual tasks, wherein values of vertices included in a second matrix are based on interdependencies between the virtual tasks; and

an aggregation engine operable to combine the virtual workflow and the workflow into an aggregated workflow using the processor, the aggregated workflow including one or more aggregating routing task pairs, each pair configured to bound a virtual task and an associated actual task such that initiation of the virtual tasks is based on a status of the associated actual task.

While the term “processor” is not specifically recited in the disclosure, I believe that it is clear from the context of FIGS. 4 and 47 and their accompanying descriptions that the various components are implemented in hardware in such a manner. See, e.g., ¶ [0096] (“The view modeler 406 may operate automatically...”); ¶ [0098] (“... engine 410 is operable to actually execute ...”); ¶ [0366] (“... are executed in synchronization with one another. More specifically, the aggregate workflow 4900 is compiled from a workflow and its associated workflow view by the aggregation engine 4704, and is operable to support concurrent execution of the workflow...”). Based on these and many other passages, I believe that it would be clear that the use of a processor would be inherent and/or understood by one of ordinary skill in the art as causing such execution, compiling, or automatic operation.

Additionally or alternatively, if you believe that method claim 10 is in condition for allowance, we would be willing to discuss cancelling “model” claim 1 to 9 and “system” claims

16 to 20, and replacing them with new computer program product claims and means-plus-function claims that match the substance of the allowed claims. These claims would look like:

21. **(PROPOSED – FOR DISCUSSION ONLY – DO NOT ENTER)** A computer program product, tangibly embodied in a machine readable medium, the computer program product comprising instructions that, when read by a machine, cause a data processing apparatus to:

- model a workflow that includes actual tasks as a first matrix, wherein values of vertices of the first matrix are determined based on interdependencies between the actual tasks;

- model a workflow view representing an abstraction of the workflow, the workflow view including virtual tasks as a second matrix, wherein values of vertices in the second matrix are determined based on interdependencies between the virtual tasks;

- compile the workflow view that includes the virtual tasks and the workflow including actual tasks, each virtual task corresponding to at least one actual task, into an aggregate workflow;

- insert into the aggregated workflow one or more aggregating routing task pairs, each pair configured to bound a virtual task and an associated actual task such that initiation of the virtual task is based on a status of the associated actual task; and

- execute the aggregate workflow.

21. to 24. (COMPUTER PROGRAM PRODUCT with same features as claims 12 to 15)

25. **(PROPOSED – FOR DISCUSSION ONLY – DO NOT ENTER)** A device comprising:

- means for modeling a workflow that includes actual tasks as a first matrix, wherein values of vertices of the first matrix are determined based on interdependencies between the actual tasks;

- means for modeling a workflow view representing an abstraction of the workflow, the workflow view including virtual tasks as a second matrix, wherein values of vertices in the second matrix are determined based on interdependencies between the virtual tasks;

- means for compiling the workflow view that includes the virtual tasks and the workflow including actual tasks, each virtual task corresponding to at least one actual task, into an aggregate workflow;

- means for inserting into the aggregated workflow one or more aggregating routing task pairs, each pair configured to bound a virtual task and an associated actual task such that initiation of the virtual task is based on a status of the associated actual task; and

- means for executing the aggregate workflow.

25. to 29. (DEVICE with same features as dependent claims 12 to 15)

After you have reviewed this proposal, please contact me at your earliest convenience.

Best regards,

